

## HALL COUNTY BOARD OF SUPERVISORS MEETING JUNE 25, 2002

The Hall County Board of Supervisors met by published call at 9:00 a.m. in the county board meeting room, 121 South Pine, Grand Island, Nebraska.

CALL TO ORDER - Chairman Lancaster called the meeting to order.

INVOCATION – Invocation was given by Chairman Lancaster

ROLL CALL – Present on roll call were Scott Arnold, Jim Eriksen, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Lonnie Logan. Also present were County Attorney Jerry Janulewicz and news media representatives from the *Grand Island Independent* and KRGI.

Arnold motion and Jeffries seconded to approve the following by consent agenda:

1. Accept and place on file the minutes of the June 11 meeting
2. 11 Approve Resolution #02-0040b for Exchange of Collateral for the State Bank of Cairo
3. 15 Approve and authorize the chair to sign the final plat for Patti Ann Subdivision
4. 23 Accept and place on file the office reports from the Clerk of the District Court, County Clerk and Emergency Management
5. 24 Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
6. 25 Accept and place on file communications as received

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

### OFFICE REPORT CLERK OF THE DISTRICT COURT May 2002

INTEREST ON ACT #114-0090191	\$ 1.31
FEES & INTEREST ON ACT #2-200-4	\$5,051.98

### OFFICE REPORT COUNTY CLERK MAY 2002

TITLE FEES STATE	\$17,512.75
TITLE FEES COUNTY	\$ 9,119.25
RECORDING FEES	5.00
MARRIAGE LICENSES	705.00
PHOTO FEES & MISC	189.50
PLAT BOOKS	70.00
ADVERTISING FEES LIQUOR LICENSE	40.34
TOTAL	\$27,641.84

PUBLIC PARTICIPTION – Chairman Lancaster called for public participation and no one responded.

DISCUSSION ON AIRPORT ANNEXATION - Bob Mettenbrink 2708 One R Road  
He stated that the city gave up rights to the airport when the property was transferred by a quick claim deed. State Statutes direct the management of the airport through the Hall County Airport Authority. He stated he would like to see the county take a position on the annexation. This action may have a negative affect on the rural fire districts and the rural schools. He encourages the board to attend the meetings. Jeffries questioned if the property is annexed would the taxes go the city. The county would collect but it would affect the tax base of the fire districts and schools. It would also change the responsibility of the districts. Hartman expressed concern on how the changes in the boundaries of the districts could affect the response time to rural fires and this could cut their budgets in half. Mr. Mettenbrink encouraged the board to take a stand.

Hartman made a motion and Jeffries seconded to oppose the annexation of the airport property, Schroeder Addition and the East Lake area into the city and follow the regional planning commission's recommendation.

Eriksen expressed concern on the affect this will have on the school districts and after the annexation the schools have to negotiate and this is a one-way street. But, he thinks this motion is premature. The board needs to talk to the fire districts and the schools. Eriksen made a motion to table this matter. Eriksen withdrew his motion because there was a motion and second on the floor.

Discussion was held and Chairman Lancaster called for public participation on this matter.

Louise Miller – she stated that the city wants a bigger population for more money and if this is tabled the board may not have another chance to address this. After the public hearing it will go to the readings and it will move forward.

Chad Nabity – Nabity stated that the city extends sewer and water to areas in the various subdivisions with the possibility of annexation. The cost of the lot is not just the cost of the land but also the utilities. The trunk lines are there and the residents have the option to access the city utilities. The cities provide the services and they grown by annexation into the city limits.

Jeffries stated that the city runs the trunk lines and then it is the decision of the people to accept the city services. There must be 50% of the people in the subdivision willing to hook up to the services in order for the city to proceed.

Logan questioned why the planning commission decided to against the annexation of Schroeder and the East Lake area. Chad stated that the commission heard testimony against annexing these areas and made the recommendation from this. This is only a recommendation. Jeffries stated that is was not fair to ask Mr. Nabity the board needs to listen to the people and make a rational decision.

Eriksen stated that these are good points but he thinks the board needs more information. Eriksen made a motion and Logan seconded to table this matter. Arnold,

Eriksen, Humiston, Lancaster and Logan all voted yes and Hartman and Jeffries voted no. Motion carried.

7 DISCUSS AND APPROVE THE APPOINTMENT TO THE HALL COUNTY HOUSING AUTHORITY BOARD – The Board received a letter recommending the appointment of Karen Reese to the Housing Authority Board. Arnold made a motion and Jeffries seconded to approve the appointment of Karen Reese. Logan question why a county board member is not on that board and he would like to see a board member serve. Arnold, Eriksen, Hartman, Humiston. Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

The Housing Authority also requested to set the date and time for the annual luncheon meeting. This will be held July 16<sup>th</sup> at 12:00 noon.

2. COUNTY ATTORNEY EXECUTIVE SESSION CONTRACT NEGOTIATIONS CWA – Arnold made a motion and Jeffries seconded to go into executive session. Arnold, Eriksen, Humiston, Lancaster and Logan all voted yes and none voted no with Hartman and Jeffries absent for the vote. Motion carried.

9:50 a.m. executive session

10:30 a.m. Hartman made a motion and Logan seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

4.10:30 A.M. PUBLIC HEARING CONDITIONAL USE PERMIT FOR LAND APPLCIATION OF BIO-SOLIDS FROM CONAGRA – Chairman Lancaster called for public response to the request for the conditional use permit.

Bill Nieman with Environmental Management Corporation was present. He stated that his company is requesting the conditional use permit to do the land application. He provided the board members with information on the process and information on where the land application will be done.

The conditional use committee and met and reviewed the information that was provided, they recommended to not approve the conditional use permit. Arnold stated that the committee received information that there was another way to dispose of the material by putting it in the landfill using a layering process.

Hartman – He questioned if there would be an odor and a fly problem. Mr. Niemann stated that this will be injected into the ground but there will be odors.

Eriksen – He questioned how the material would be transported and could other areas be contaminated. Mr. Niemann stated that the bio-solids are pumped and hauled in closed containers. If it is land applied it also transported in sealed containers then it is injected or worked into the soil. Mr. Niemann stated that they are proposing 30 units per acre. This would be a heavy application.

The board members questioned if Regional Planning Director Chad Nabity had any comments but he stated that he was not included in this process the conditional use committee reviewed this.

Chairman Lancaster called for public participation and Bob Mettenbrink 5900 North North Road requested to speak. He owns property to the south where they want to apply the solids and he questioned how this could be applied without causing an odor problem.

George Leiser 3981 West One R Road – He lives across where they are proposing the land application he does not have a concern on the ground application but has concerns if there will be residue on the roads and the fly problem once it is land applied. If it was applied during December through February there may not be a problem with flies. Hartman stated that all you have to do is follow a truck and there is an odor problem.

Jeffries stated that a lot of the people here are opposed to the land application and there seems to be one problem after another. Conagra is important to the community but if this can be hauled to the landfill or the dump why isn't it addressed this way. Mr. Niemann stated that if it were hauled to the dump there would be fees and would be expensive. Can't take to dump because of the cost condition use voted unanimously not to land apply

Tom Rauret - North Road - He stated that the weather could affect the land application and what if it is land applied and not worked into the land is there any enforcement if it is not done correctly. He lives by the rules and they should also.

Jim Eriksen questioned if there could be an accumulation of the sludge and spills of the liquid. Mr. Niemann stated that it is transported in sealed containers and it could happen but they would take all possible precautions.

Marcella Greenwood stated that they are in the process of selling a piece of property and is here to represent the owners. They would like to wait until the property is sold before they land apply.

Sue Sheller 4417 Whitecloud Road – She lives across the road and stated that if it is not worked into the ground the smell and fillies would be a serious problem.

10:55 a.m. Jeffries made a motion and Hartman seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

Hartman made a motion and Jeffries seconded to deny the conditional use permit to Conagra for the land application of the sludge. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried

Arnold stated that he had a concern on conflicting information on how it can be disposed of. He could understand the concern on the cost if it was disposed of in the landfill.

Eriksen – He also stated he felt they were lacking some information to make a good decision and expressed concern that there are not rules and regulations for enforcement.

Jeffries – He stated that everyone is figuring out an angle to impose this on the county people. The cost is too much and Conagra is from Missouri. They do the work and if it is

not done correctly they go back to Missouri and Hall County is stuck. Why table it? The Board needs to make the decision.

Arnold expressed concern on the cost to Conagra and he did not consider this when the conditional use committee met.

**9 RECOMMENDATION FROM LONG RANGE PLANNING COMMITTEE TO CONSIDER OPTIONAL USAGE FOR COUNTY ATTORNEY BUILDING** – The long range planning committee met last Friday regarding the remodeling Judge Luther's office in the Court House. Eriksen stated that they are in the process of finalizing the specifications and will come to the full board for approval.

Eriksen stated that the county has a long-range plan and the county needs to address the status of the plan. The county needs to contact CRA and the City of Grand Island to draft an interlocal agreement and carry out the final aspects of the facilities study and come up with a definite plan.

Lancaster stated that this does not change the counties needs we still have over-crowded areas and there is still the jail issue.

Logan does not see this as an interlocal agreement; the county has an agreement with RDG for this. Eriksen will check with Jerry Janulewicz for clarification on this.

The board passed a motion to provide the county attorney building to the health department for office space and to rent space for the public defender and the probation office. The county would be spending money for rent and another option would be to provide \$250,000.00 to the health department to secure another location. The county could retain the office building for the public defender and probation office. Eriksen made a motion and Arnold seconded to provide \$250,000.00 to the Health Department to purchase a building and retain the county attorney office building for the public defender and probation office. Eriksen stated that this was not a unanimous decision of the long range planning committee but this would make financial sense.

Arnold expressed concern that money has already been spent on the architect for the remodeling of the county attorney office building. The long-range plan proposed 9,000 to 10,000 square feet for the public defender and probation offices.

Jeffries stated he is in favor of moving the health department to the office building and has concerns on another building for the health department.

Logan stated that he is not convinced that this is economically sound and would like to put together a long-range plan for all of the county offices. They need to look at the big picture.

Jim Reed, 2511 Lakewood is a member of the new health board. He said they are looking at other options but Health Department Director Sonja Simpson is cautious because of state cuts.

Hartman called for the question. The vote on the motion to provide \$250,000.00 to the Health Department for the purchase of another building. Hartman, Humiston, Jeffries and Logan all voted no. Arnold, Eriksen and Lancaster voted yes. Motion failed.

10 APPROVE RESOLUTION FOR ADDITIONAL APPROPRIATIONS FOR HALL COUNTY JUSTICE SYSTEM BUDGET – Jeffries made a motion and Arnold seconded to approve the Resolution #02-0041 for additional appropriations for the Hall County Justice System Budget. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no with Hartman absent for the vote. Motion carried.

**Resolution #02-\_\_\_\_\_**  
**RESOLUTION PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE HALL JUSTICE SYSTEM BUDGET FOR FISCAL YEAR 2001-2002**

WHEREAS, due to unforeseen circumstances there are additional expenses to be incurred in the operation of the Hall Justice System Budget which could have not been reasonably anticipated at the time the county budget for the current year was adopted; and

WHEREAS, funds for the operation of the Hall County Justice System Budget are included in the County budget as part of the County General Fund; and

WHEREAS, there are sufficient unexpended and unencumbered funds remaining the County General Fund Miscellaneous line item 2-9900 (miscellaneous expense) to permit a transfer of \$8,000.00 from said line item to the following County General Fund (justice system budget) line item 629-02-4444 in order to pay said unanticipated additional expenses:

NOW THEREFORE, BE IT RESOLVED, by the Hall County Board of Supervisors that the County General Fund – miscellaneous line item 2-9900 (miscellaneous expenses) be reduced in the amount of \$8,000.00 and that General Fund line items 629-02-4444 office supplies be increased by \$8,000.00. Said action being taken in order to permit the payment of additional and unforeseen expenses to be incurred in the operation of the Hall County Court Budget for the fiscal year 2001 – 2002. The Hall County Clerk and other county officials are hereby authorized to take such action as necessary in order to implement this resolution.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

Resolution moved by Supervisor \_\_\_\_\_

Seconded by Supervisor \_\_\_\_\_

**VOTE:**

Scott Arnold	For____; Against____; Abstained____; Not Present____.
Jim Eriksen	For____; Against____; Abstained____; Not Present____.
Richard Hartman	For____; Against____; Abstained____; Not Present____.
Bob Humiston	For____; Against____; Abstained____; Not Present____.
William P. Jeffries	For____; Against____; Abstained____; Not Present____.
Pamela Lancaster	For____; Against____; Abstained____; Not Present____.
Lonnie Logan	For____; Against____; Abstained____; Not Present____.

**HALL COUNTY BOARD OF SUPERVISORS**

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Pamela Lancaster, Chairman of the Board of Supervisors

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Marla J. Conley, Hall County Clerk

12 APPROVE AMENDMENT #1 FOR MAXIMUS CONSULTING CONTRACT – This is the amendment to the contract. Jeffries made a motion and Logan seconded to have Jerry Janulewicz review the amendment and authorize the chair to sign. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no with Hartman absent for the vote. Motion carried.

16 COMMENCE AUDIT OF MONTHLY CLAIMS AND ACTION ON CLAIM AUDIT – The board members review the claims and Logan made a motion and Jeffries seconded to approve the claims and authorize the clerk to sign. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Logan all voted yes and none voted no. Motion carried.

BOARD ASSISTANT REPORT – Board Assistant Stacey Ruzicka included her progress report and reminded the board members of the board of equalization meetings. She also reminded them of the union negotiations. The evaluation forms need to be returned by July 10<sup>th</sup>. The computer committee will meet after the board meeting. She reported that BTS made some adjustments on the video equipment and asked if the reception is better.

BOARD MEMBER REPORTS – Hartman – no report

Humiston – no report

Eriksen – All reported on

Logan – He had one union negotiation meeting

Bud – He attended union meetings and he reported that a plan is being developed for retired police officers to provide security for the courthouse and grounds. These would be well-experienced people and they could handle the job. Jeffries will take this proposal to the justice committee for discussion and bring it back to the county board.

Scott – He reported that there was a proposal for the state to budget money for felony cases and capital cases they would reimburse the county 25% but we may have to increase the amount that is paid to the attorneys. The juvenile committee met on the planning grant and there may be some concerns on a conflict of interest issue.

Lancaster – All of the committees have been reported on.

11:50 am. Meeting adjourned. The next meeting will be July 16, 2002 at 9:00 a.m.

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Marla J. Conley Hall County Clerk